

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

JAMES MOBLEY,	:	
Petitioner,	:	Case No. 3:09cv00061
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
WARDEN, Chillicothe	:	
Correctional Institution,	:	<b>DECISION AND ENTRY</b>
Respondent.	:	

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #49), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations docketed on November 2, 2011 (Doc. #49) is **ADOPTED** in full;
2. James Mobley's Petition for Writ of Habeas Corpus (Doc. #1) is **DENIED** and **DISMISSED**;
3. A certificate of appealability under 28 U.S.C. §2253(c) shall not issue; and
4. The case is terminated on the docket of this Court.

December 5, 2011

*\*s/THOMAS M. ROSE*

---

Thomas M. Rose  
United States District Judge